IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 5724 of 1999

Hon'ble MR.JUSTICE Y.B.BHATT

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

RAHUL JITMAL PAREKH

Versus

STATE OF GUJARAT

Appearance:

MR SI NANAVATI for MR RJ GOSWAMI for Petitioners

MR KP RAVAL, APP, for Respondent No. 1

MR HRIDAY BUCH for Respondent No. 2

CORAM : MR.JUSTICE Y.B.BHATT

Date of decision: 04/05/2000

ORAL JUDGEMENT

1. This is an application under section 482 of the Code of Criminal procedure at the instance of the original accused nos.1 to 4 for the purpose of quashing the FIR filed against them, being CR I-No.256/99, registered with the Sanand Police Station.

2. Heard the learned counsel for the respective parties. On the facts and circumstances of the case I am of the opinion that interests of justice would be served by issuing the following directions:

[A] The investigation may continue in respect of the aforesaid FIR, and the appropriate report may be filed before the learned Magistrate. At that stage it shall be open to the accused to apply to the Magistrate either with a prayer that there is no justification for taking cognizance of the matter, or to make an application for discharge, as the accused may consider appropriate.

3. On the basis of the aforesaid directions learned counsel for the applicants does not press this application for any further relief, and the same is accordingly disposed of. Notice is discharged. Interim relief stands vacated.

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